

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                    )  
  )  
  )  
v.    ) Criminal No: 10CR10275DPW  
  )  
JOSE LUIS BAEZ                                )  
  )

MOTION FOR LEAVE OF COURT TO FILE A BRIEF  
LONGER THAN THE 35 PAGE LIMIT

Now comes the Defendant and respectfully requests that this Honorable Court allow the Defendant to file a Memorandum of Law which exceeds the thirty-five page limit.

As grounds hereof, the Defendants states that this Honorable Court suggested and the parties agreed to file memoranda of law outlining their respective arguments and positions in the aftermath of the Supreme Court's ruling in United States v. Jones.

Briefing these issues required a tremendous amount of research and writing.

Additionally, the United States government has filed two supplemental memoranda of law as well as several affidavits regarding the legal issues which this matter involves.

The Court suggested that the Defendant submit memoranda regarding four major issues in this matter.

The Defendant has drafted a memorandum of law pursuant to this Honorable Court's request.

The Defendant consolidated all issues into one single brief for ease of reference, in lieu of filing multiple briefs.

The consolidated memorandum of law, however, numbers 59 pages, which exceeds the 35 page limit.

As a result, the Defendant seeks leave of court to file said 59 page memorandum.

The legal issues in the instant case and the interests of justice suggest that this Honorable Court allow the within motion for leave of court to file a longer brief.

Respectfully submitted,  
Jose Luis Baez,  
By and through his attorney,

/s/ Murat Erkan  
Murat Erkan, BBO: 637507  
300 High Street  
Andover, MA 01810  
(978) 475-6112

Dated: February 27, 2012

CERTIFICATE OF SERVICE

I, Attorney Murat Erkan, counsel for the Defendant, Manuel Lara, hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 27, 2010.

---

/s/ Murat Erkan

Date: February 27, 2012